



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Brown et al.
Serial No. : 10/667,630
Filed : September 22, 2003
For : DERMATOLOGICAL COMPOSITIONS AND METHODS
Examiner : N. Nutter
Group : 1711

SUBMISSION OF TERMINAL DISCLAIMER

Submitted herewith is a terminal disclaimer for the above-identified patent application.

SMALL ENTITY This application is on behalf of a small entity.

Fee Payment

()	other than a small entity	\$130.00
(X)	small entity	\$ 65.00

A check in the amount of \$65.00 is enclosed. The Director is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 11-1158.

Respectfully submitted,

Date: 2/10/05

Maurice M. Klee

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Brown, Alexander A. Khorlin, Krystyna Lesiak
and Wu Yun Ren
Serial No. : 10/667,630
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TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

The owner, Applied Genetics Incorporated Dermatics, of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patents Nos. 5,990,177, 6,214,888, 6,267,948, 6,294,585 and 6,623,724. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that any one of them later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate,

is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

Date: 2/10/05

Maurice Klee

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